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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/429,174	10/28/1999	JUNG-CHIH HUANG	2139	5616

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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/429,174

Applicant(s)

HUANG ET AL.

Examiner

Christopher J Brown

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. In response to the applicant's argument of the Lewis patent, the security of the system is not relevant. The security of the system is not related to the claims of the current application.

In response to the applicant's argument of the Chao patent, the security of the system is not relevant. The security of the system is not related to the claims of the current application.

In response to the applicant's argument of the Thandiwe patent, the security of the system is not relevant. The security of the system is not related to the claims of the current application.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### ***Response to Amendment***

2. The amendment is insufficient to overcome the rejection of claims 1-18 based upon inclusion of Sibigtroth U.S. Patent 5,251,304 as set forth in the Office action attached

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below because Sibitroth discloses a method of including a controller in an integrated circuit.

***Specification***

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. The code referred to is on page 15 line 21. Please review instant specification for further embedded hyperlinks. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 7, 8, 10, 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis US 4,604,708 in view of Sibigtroth US 5,251,304.

As per claims 1, and 10, Lewis discloses a device to be used in conjunction with an electronic device, (Col 3 line 4). Lewis discloses that the controller is connected to electrical power even though the controller is not powering the electronic device, (Col 3

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line 25). Lewis discloses that the electronic device is energized when a user inputs the correct password, (Col 3 lines 52-56). Lewis teaches that the security controller comprises a nonvolatile password memory, (PROM), for storing at least one user password, (Col 3 lines 50-53). Lewis teaches a password input circuit, a digital logic circuit, and an output circuit (Microcomputer), (Col 3 lines 50-53). The digital logic circuit compares a received password with any user passwords stored in memory, (Col 3 line 50). Lewis shows the output circuit for transmitting a signal to enable the electronic device with power if the received password matches the stored password, (Col 3 lines 52-56).

As per claims 3, and 12, there is at least one user password, and at least one supervisor password, (secondary password), (Col 4 lines 34-37).

As per claims 4, and 13, the input circuit is a keypad interface (Mc) that is coupled to a keypad for receiving a password to be compared with stored passwords, (Col 3 line 48).

As per claims 7, and 16, the digital logic circuit is a state machine (Microcomputer), (Col 3 line 60).

As per claims 8, and 17, the output circuit provides a signal, which indicates the existence of the security operating mode (alarm), (Col 4 line 61, Col 5 line 1).

Lewis does not disclose that an integrated circuit comprises the pre-boot security controller.

Sibitroth discloses a controller and memory as part of an integrated circuit (Sibitroth Col 2 lines 19-25). It would be obvious to one skilled in the art to construct the microcomputer of Lewis in the method of Sibitroth because it is more compact.

5. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis US 4,604,708 in view of Sibigtroth US 5,251,304 in view of Chao US 5,313,639.

As per claims 6, and 15, Lewis discloses a security controller that receives a user password and matches it to that in memory, (Col 3 line50).

Lewis does not disclose taking input from the keypad in application operating mode.

Chao discloses a keypad that prevents booting of the computer and is of an analogous art to the instant specification. To utilize the keypad pressings, the data must be recorded, (Col 3 line 33, 44).

It would be obvious to one skilled in the art to modify Lewis's security controller with Chao's application mode keypad operation because it obviates the need to turn off the computer (Col 3 line 37).

6. Claims 2, 5, 9, 11, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis US 4,604,708 in view of Sibigtroth US 5,251,304 in view of Thandiwe US 5,594,319.

As per claims 2, and 11, Lewis does not disclose that the password memory is electronically rewritable, (Col 3 lines 8-11).

Thandiwe discloses the password memory to be EEPROM, which is rewritable memory.

It would be obvious to one skilled in the art to modify Lewis's security controller with Thandiwe's EEPROM so that a password may be changed on a regular basis to enhance security.

As per claims 5, and 14, Lewis discloses a keypad interface, and that the interface may receive passwords. Lewis fails to disclose the digital logic recording such passwords. Thandiwe discloses choosing a new password and storing it in the password memory, (Col 3 line 16).

It would be obvious to one skilled in the art, to modify Lewis's security controller with Thandiwe's password storage so that a password may be changed on a regular basis to enhance security.

As per claims 9 and 18, Lewis does not disclose a "System Management Bus" to receive user passwords to store in memory.

Thandiwe discloses receiving a password over a system management bus, (Col 2 lines 20-25).

It would be obvious to one skilled in the art, to modify Lewis's security controller with Thandiwe's system management because an internal SMBus connection is more secure than a line or cable connection.

### ***Conclusion***

**7. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J Brown whose telephone number is 703-305-8023. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Christopher J. Brown

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100



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CJB

January 6, 2004